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Paper No. 5

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JUL 17 2000

In re Application of
Adams et al.
Application No. 09/311,890
Filed: May 14, 1999
Attorney Docket No.

SPECIAL PROGRAMS OFFICE
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DECISION
GRANTING PETITION

This is a decision on the petition under 37 CFR 1.182, filed July 2, 1999, which is being treated as a petition under 37 CFR 1.181 (no fee) to accord the above-identified application a filing date of May 14, 1999. The delay in treating the petition is regretted.


The petition is **GRANTED**.

In support of the petition, submitted in reply to the Notices of Missing Parts and Incomplete Application, both mailed June 16, 1999, which indicated a total absence of the referenced drawings, petitioner includes a copy of a postcard receipt itemized with respect to the instant application papers and bearing the PTO date stamp of May 14, 1999. The receipt establishes that twenty nine (29) sheets of drawings were among the instant application papers received at the PTO. As such, petitioner has adequately established that the drawings in question were received at the PTO and subsequently misplaced, and that this application is entitled to a filing date of May 14, 1999. The Notices of May 14, 1999 were mailed in error and are vacated.

The \$130 fee has been credited, as unnecessary, to deposit account No. 20-1430.

The application file is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of May 14, 1999, and an indication that the application papers as filed contained 29 sheets of drawings, using the 29 sheets of drawings filed July 2, 1999.

Telephone inquiries concerning this decision may be directed to the undersigned at (703) 305-1820.


Brian Hearn
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for Patent Examination Policy